



Order Filed on November 15, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)
WARREN S. JONES, JR., ESQ. #003781980
Law Offices of Warren S. Jones, Jr., LLC
1 Trinity Lane
Mt. Holly New Jersey 08060
(609) 261-8400
email@warrensjones.com
Attorneys for Secured Creditor The Bank of New York Mellon,
f/k/a The Bank of New York as Trustee for Registered Holders of
CWABS, Inc., Asset-Backed Certificates, Series 2004-5
C.241-7655.NF

In Re:

Rafael D. Martinez
aka Rafael Delgado

Case No.: 18-27867-CMG

Hearing Date: 11/13/2018

Judge: Christine M. Gravelle

Chapter: 7

Recommended Local Form:

☐ Followed

☒ Modified

ORDER VACATING STAY

The relief set forth on the following page is hereby **ORDERED**.

DATED: November 15, 2018

A handwritten signature in black ink, reading "Christine M. Gravelle".
Honorable Christine M. Gravelle
United States Bankruptcy Judge

Upon the motion of The Bank of New York Mellon, f/k/a The Bank of New York as Trustee for Registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2004-5, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as: 2611 Marne Highway, Hainesport, New Jersey 08016

It is further ORDERED that, in addition to foreclosure, permits activity necessary to obtain possession of said collateral; therefore, all communications sent by Movant in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtor.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.